

the non-statutory, judicially created doctrine of obviousness-type double patenting as being unpatentable over certain claims in U. S. Patent 5,406,263, the original parent of the present application. These claims were canceled from said application SN 08/421,571 so that a patent could issue on other claims which were not subject to the non-statutory obviousness-type double patenting rejection.

Newly added apparatus claim 25 is similar to claim 15 of U.S. Patent 5,646,592, the immediate parent of the present application, with changes to the recitation of the third electrical contact and the RFID transceiver responding to the electrical continuity being broken. Claim 25 is believed to be patentable over the prior art for the same reasons that claim 15 of U.S. Patent 5,646,592 was granted.

Newly added apparatus claims 26–37 are similar to pending claims 15–24, with an additional recitation in the body of independent claim 25 of the apparatus whose aperture can be opened and closed. Newly added method claims 38–45 also are similar to pending apparatus claims 15–24. The newly added claims are believed to be patentable over the prior art for the same reasons that claims 15–24 were found patentable over the prior art in parent application SN 08/421,571.

Respectfully submitted,



Robert J. Stern  
Attorney for Applicant  
Registration no. 29,703  
Tel. (415) 322-5990